

Official Minutes for Webb County
Commissioners Court Special Meeting

Monday, December 15, 2003 at 1:00 PM

(Approved 01-12-2004)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the special meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Jerry Vasquez	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 12 of December 2003. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by all

Judge Bruni stated that he has always spoken from the heart and does not sugarcoat the truth or support things that he does not believe in. He apologized to all those that he may have offended by the comments he made at the previous meeting and stated that he was 100% committed to the constituents of Webb County.

- Item No. 4 Public Comment

Mr. John A. Castro, Students in Democratic Action (SDA), advised the court that his intentions at the previous meeting were not politically motivated and asked that Judge Bruni apologize for the comments he made at the previous meeting.

Cmr. Cortez wished everyone a Merry Christmas and Happy New Year and his aim for next year was to lead the County into unprecedented heights.

He stated that he was elected to govern and will always do so remembering those who voted him in. He stated that he welcomed those who criticize him along with those who praise him but would not tolerate political agenda against him.

Comr. Velasquez wished all the constituents of Webb County a Merry Christmas and Happy Holidays and stated that he felt that the constituents of Precinct 3 supported him in his decision.

Comr. Vasquez stated that he hoped that the Court would adopt a New Year's Resolution of practicing what they preach. He hoped that those who say they would accept criticism will and will not try to hinder those speakers whose views are not theirs. He commended Judge Bruni for his apology and hoped that every constituent's voice is heard.

Comr. Gutierrez asked for everyone to reflect on the good and bad things that have happened this year and to look into their own lives to see what needs to be improved. She stated that one must never lose sight of the fact that the government is of, for and by the people.

Judge Bruni made a promise to the constituents that he would continue to look for an additional source of water.

Item No. 5 Discussion and possible action to appoint members to the City of Laredo/County of Webb Metro Government Committee.

Comr. Cortez motioned to appoint Judge Bruni and himself. Comr. Gutierrez seconded the motion.

Comr. Velasquez requested that if possible, that Comr. Gutierrez also be a member of this committee.

Comr. Cortez amended his motion to include Comr. Gutierrez. Comr. Gutierrez amended her second.

Motion carried 5-0 by unanimous consent.

Item No. 6 Discussion and possible action to designate a county department with oversight and monitoring responsibility regarding oil and gas exploration and activities on all county property, including but not limited to the Webb County School Lands.

Cmr. Velasquez stated that he felt that the Engineering Department would be most suitable due to their Special Projects Coordinator. Mr. Tomas Rodriguez, County Engineer, stated that his office has never done this type of work before but are willing to learn and if a law firm is hired, they could learn from them as well. Mr. Homero Ramirez, County Attorney, advised Court that the monies from the school lands could only be used for educational purposes and could not be used to hire an attorney to investigate oil and gas activities.

Cmr. Velasquez motioned to assign the County Engineering Department for this matter. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 7 Discussion and possible action to authorize the Purchasing Agent to issue a request for qualifications for oil and gas attorneys to review and analyze oil and gas production on Webb County property including, without limitation, the Webb County School Land, and any other matters incident thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 8 Discussion and possible action to award bid # 2004-30 to Cutler Paving in the amount of \$282,388.92 for the resurfacing of Espejo Molina Road. [Account # 661-7501-8621-01 Espejo Molina Road]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Tomas Rodriguez, County Engineer, advised Court that only one bid was received and there was a typo on page two that should read 3.8 miles not 38 miles.

Motion carried 5-0 by unanimous consent.

- Item No. 9 Discussion and possible action authorizing Change Order # 1 to FMG Contractors for the Justice of the Peace Courthouse Building Project in South Laredo. This is a \$170,820.00

decrease of the original contract price of \$949,000.00. The decrease does not exceed 18 percent, which complies with Code 262.031 "Changes in Plans and Specifications" of the Texas Local Government Code.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Cmr. Vasquez advised Court that any extra monies that may be needed would be coming from his discretionary funds. Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that the project is currently undergoing value engineering and there may be some modifications to the original plan.

Motion carried 5-0 by unanimous consent.

- Item No. 10 Discussion and possible action to approve Change Order # 1 to the CG Construction Contract (El Cenizo Recreational Center Project) by adding THIRTY-FIVE THOUSAND THREE HUNDRED SEVEN DOLLARS AND TWELVE CENTS (\$35,307.12) for repairs at the existing building and additional changes to the new building. [Account # 678-8103-8710-1 Park Development]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 11 Status Report on repairs and improvements to L.I.F.E. Downs.

Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that the County has received \$192,322 from the insurance company, expended \$165,248 for demolition and clean-up. He stated that approximately \$224,000 would be needed to repair all areas being requested by L.I.F.E. Downs. He stated that the monies from the bond issuance and Cmr. Cortez have not been released and would be expended at the direction of the Court. Judge Bruni stated that he met with the Sam Houston Group from Houston, Texas regarding the possible construction of a thoroughbred racing track in Webb County, a \$32 million endeavor.

- Item No. 12 Discussion and possible action to approve Change Order # 3 to the Neighborhood Housing Services of Dimmit County contract (Penitas West Community Park) by adding (\$47,775.00) for the Asphalt paving of the Penitas West Community Park parking lot. [Account # 678-8103-8710-4 Park Development]

Comr. Cortez motioned to approve item as submitted. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Comr. Velasquez motioned to bring back Item No. 11. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 11 Status Report on repairs and improvements to L.I.F.E. Downs.

Mr. Oscar Martinez, Jr. from L.I.F.E. Downs advised the Court that through volunteers and donations, some work has been done. He stated that they have approximately two months until the Fair and wanted to know what the delay was in receiving the money that had been allotted during the budget hearings. Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that the Court needed to prioritize and specifications needed to be approved in order to meet the covenants of the bond issuance. Comr. Vasquez stated that L.I.F.E. needed to prioritize what repairs needed to be done since there would not be enough monies to repair everything even with the bond monies. Judge Bruni instructed Mr. Martinez to meet with Mr. Villarreal to discuss what needed to be done next. Mr. Martinez stated that he appreciated the help from Webb County and wished them happy holidays.

- Item No. 13 Discussion and possible action to approve Change Order # 1 to the construction contract with Neighborhood Housing Services of Dimmit County, Inc., by extending to January 14, 2004 the completion of the Penitas West Park Project at no additional cost to the county.

- Item No. 14 Discussion and possible action to enter into a construction contract with Zertuche Construction L.L.C. for park improvements in Oilton and Mirando City in the amount of FOUR HUNDRED NINETY-FIVE THOUSAND FIVE HUNDRED FORTY DOLLARS (\$495,540.00) and authorizing the County Judge to sign all relevant documents. [Account # 678-8103-8710-2 and 695-6004-8710-2 Park Development Certificates of Obligation Series 2001 and 2002]

Cmr. Gutierrez motioned to approve Item No. 13 and No. 14 as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 15 Discussion and possible action to approve the following resolutions authorizing the Juvenile Department to submit grant applications to the Criminal Justice Division and authorizing the County Judge, the County Auditor, and the Chief Juvenile Probation Officer to execute all forms relevant to said grants:
1. Juvenile Accountability Block Grant (JABG) in the amount of \$31,805 with match funds of \$3,534.
 2. Juvenile Justice and Delinquency Prevention (JJDP) Grant in the amount of \$5,000 with match funds of \$10,000.
 3. Safe and Drug-Free Schools and Communities (SDFSC) Grant in the amount of \$30,090.
 4. State Criminal Justice Planning Grant in the amount of \$375,000.

Cmr. Vasquez motioned to approve Resolutions 1, 3, and 4, excluding Resolution 2. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, advised Court that on Item No. 13, it should be Change Order No. 4, not No. 1.

- Item No. 16 Discussion and possible action to issue "Certifications Regarding Compliance with Plat Requirements and the Connection of Utilities" to authorize utility connections to the following properties:
Connection(s) qualifying under Section 232.029 (i):

1. Lot 39, Block 9, Colorado Acres Subdivision, (electricity – one dwelling only).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (2:35 pm to 3:04 pm)

Judge Bruni reconvened meeting and stated that no action was taken during Executive Session.

Item No. 17 Status report on L.I.F.E. Downs and the Youth Village with possible action. (Executive Session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas Government Code-Consultation with Attorney)

Cmr. Gutierrez recommended that the Court assign Mr. Homero Ramirez, County Attorney, Mr. Raul Casso, County Judge's Chief of Staff and Mr. Carlos Villarreal, Commissioners Court Executive Administrator to negotiate on all issues pertaining to L.I.F.E. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Nick Benavides from L.I.F.E. stated that they were asking for minor repairs at the moment to be ready for the March show. He state that some damages were incurred at the sale barn and would not be able to do sales until it is repaired. Cmr. Gutierrez stated that approximately \$25-30 thousand would be needed for repairs for the March expo and could possibly use the insurance funds for those repairs. County Court at Law Judge Jesus Garza reminded the court that the Youth Village Project had been passed in November 2001 and the area adjacent to L.I.F.E. had been approved in February 2003. He requested that the Youth Village be prioritized since it was approved by the voters two years ago.

Cmr. Gutierrez motioned to adjourn meeting. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.